



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

ERNEST Y. MARTIN
CHAIR & PRESIDING OFFICER
IKAIKA ANDERSON
VICE CHAIR
RON MENOR
FLOOR LEADER
BRANDON J. C. ELEFANTE
CAROL FUKUNAGA
ANN H. KOBAYASHI
JOEY MANAHAN
TREVOR OZAWA
KYMBERLY MARCOS PINE

JOURNAL

REGULAR MEETING
29TH SESSION
WEDNESDAY, OCTOBER 5, 2016

KAPOLEI HALE
1000 ULUOHIA STREET, CONFERENCE ROOMS A, B AND C
KAPOLEI, HAWAII 96707

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

Pursuant to adjournment, the regular meeting of the City Council was called to order by the Chair and Presiding Officer, Ernest Y. Martin, at 10:10 a.m.

ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Anderson, Elefante, Fukunaga, Kobayashi, Manahan, Menor, Pine, Martin – 8.

Excused: Councilmember Ozawa – 1.

INTRODUCTION OF GUESTS

There were no guests.

APPROVAL OF MINUTES

Councilmember Anderson moved that the Minutes of the 28th Session (September 7, 2016) be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Menor.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
PINE, MARTIN – 8.
NOES: None.
ABSENT: OZAWA – 1.

ORDER OF THE DAY

PUBLIC HEARING **RESOLUTION 16-236**

RESOLUTION AUTHORIZING THE USE OF OVERT VIDEO MONITORING IN THE CITY AND COUNTY OF HONOLULU TO PREVENT AND DETER GENERAL CRIMINAL ACTIVITY AND ACHIEVE THE LEGITIMATE LAW ENFORCEMENT OBJECTIVE AND LEGITIMATE PUBLIC PURPOSE OF ENSURING A SAFE AND SECURE 2016 HONOLULU MARATHON EVENT.

The following individuals testified:

1. Major Ryan Borges, Honolulu Police Department (support)
2. Natalie Iwasa (comments)

The Chair referred Resolution 16-236 to the Committee on Public Health, Safety and Welfare for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
PINE, MARTIN – 8.
NOES: None.
ABSENT: OZAWA – 1.

Related communication:

D-662 Major Gordon Gomes, District 4, Honolulu Police Department

PUBLIC HEARING
RESOLUTION 16-260

RESOLUTION RELATING TO THE APPOINTMENT OF STEPHEN F. MECHLER TO SERVE ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Stephen Mechler, appointee (comments)

The Chair referred Resolution 16-260 to the Committee on Parks, Community and Customer Services for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 PINE, MARTIN – 8.

NOES: None.

ABSENT: OZAWA – 1.

ADOPTION
RESOLUTION 16-232 – COMMITTEE REPORT 293

RESOLUTION RELATING TO THE REAPPOINTMENT OF MICHAEL A. LILLY TO SERVE ON THE ETHICS COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Menor moved that Committee Report 293 and Resolution 16-232 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Councilmember Menor spoke in support of the measure. He reported that the Committee on Executive Matters and Legal Affairs thoroughly reviewed Mr. Lilly's credentials and concluded that Mr. Lilly is well-qualified to serve on the Ethics Commission. He noted that Mr. Lilly assured the Committee that he would support openness and transparency in the Commission, support vigorous enforcement of the Ethics Code, and work together with the City Auditor in efforts to improve the management and operations of the Ethics Commission.

Councilmember Anderson spoke in support of the measure and commented that Mr. Lilly was a fair member during his tenure on the Commission. He commended Mr. Lilly for his willingness to continue to serve on the Ethics Commission.

Committee Report 293 and Resolution 16-232 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
PINE, MARTIN – 8.
NOES: None.
ABSENT: OZAWA – 1.

Chair Martin recognized and congratulated Mr. Lilly on his reappointment.

ADOPTION

RESOLUTION 16-218 – COMMITTEE REPORT 299

RESOLUTION RELATING TO THE APPOINTMENT OF DARREN Y.T. LEE TO SERVE ON THE LIQUOR COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Kobayashi moved that Committee Report 299 and Resolution 16-218 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Councilmember Kobayashi spoke in support of the measure and thanked Mr. Lee for his willingness to serve on the Liquor Commission. She urged the members support on the measure.

Committee Report 299 and Resolution 16-218 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
PINE, MARTIN – 8.
NOES: None.
ABSENT: OZAWA – 1.

Chair Martin recognized and congratulated Mr. Lee on his appointment.

ADOPTION

RESOLUTION 16-230 – COMMITTEE REPORT 300

RESOLUTION RELATING TO THE REAPPOINTMENT OF JOSEPH O'DONNELL TO SERVE ON THE LIQUOR COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Kobayashi moved that Committee Report 300 and Resolution 16-230 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest Statement with the City Clerk's office (CC-229).

Councilmembers Kobayashi and Anderson spoke in support of the measure and thanked Mr. O'Donnell for his willingness to continue to serve on the Liquor Commission. Councilmember Anderson also spoke highly of Mr. O'Donnell's integrity and character.

Committee Report 300 and Resolution 16-230 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 PINE, MARTIN – 8.
NOES: None.
ABSENT: OZAWA – 1.

Chair Martin recognized and congratulated Mr. O'Donnell on his reappointment.

ADOPTION

RESOLUTION 16-231, CD1 – COMMITTEE REPORT 301

RESOLUTION RELATING TO THE APPOINTMENT OF WESLEY F. FONG TO SERVE ON THE GRANTS IN AID ADVISORY COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Kobayashi moved that Committee Report 301 and Resolution 16-231, CD1 be adopted. Seconded by Councilmember Manahan.

The following individual testified:

Wesley Fong, appointee (comments)

Councilmember Fukunaga spoke in support of the measure and added that Mr. Fong's perspective would be appreciated on the Commission.

Councilmember Kobayashi spoke in support of the measure. She remarked that Mr. Fong would be an added support for the Commission and that he would serve the Commission well.

Committee Report 301 and Resolution 16-231, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
PINE, MARTIN – 8.

NOES: None.

ABSENT: OZAWA – 1.

Chair Martin recognized and congratulated Mr. Fong on his appointment.

ADOPTION

RESOLUTION 16-177, CD1, FD1 – COMMITTEE REPORT 311

RESOLUTION RELATING TO THE APPOINTMENT OF BARBRA J. ARMENTROUT TO SERVE ON THE TRANSPORTATION COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following amendment was posted on the agenda:

Resolution 16-177, CD1, Proposed FD1

Councilmember Manahan moved that Committee Report 311 and Resolution 16-177, CD1 be adopted. Seconded by Councilmember Kobayashi.

Councilmember Kobayashi moved that the Resolution be amended to FD1. Seconded by Councilmember Manahan. The FD1 amendment replaces all instances of the name Barbra Armentrout with the name Barbra J. Armentrout and makes miscellaneous technical and non-substantive amendments.

The following individuals testified:

1. Rose Pou (support)
2. Natalie Iwasa (support)
3. Michael Formby, Honolulu Authority for Rapid Transportation (support)
4. Barbra J. Armentrout, appointee (comments)

Resolution 16-177, CD1 was amended to FD1.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Committee Report 311 and Resolution 16-177, CD1, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Chair Martin recognized and congratulated Ms. Armentrout on her appointment.

PUBLIC HEARING/SECOND READING
Bill 51, CD1 – COMMITTEE REPORT 288

A BILL FOR AN ORDINANCE RELATING TO EXCEPTIONAL TREES.

Councilmember Pine moved that Committee Report 288 be adopted and Bill 51 pass second reading, as amended to CD1. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 288 was adopted and Bill 51, CD1 passed second reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

PUBLIC HEARING/SECOND READING
Bill 53, CD1 – COMMITTEE REPORT 292

A BILL FOR AN ORDINANCE RELATING TO INTERGOVERNMENTAL AND PRIVATE GRANT AGREEMENTS.

Councilmember Menor moved that Committee Report 292 be adopted and Bill 53 pass second reading, as amended to CD1. Seconded by Councilmember Fukunaga.

There was no public testimony.

Chair Martin stated that the FD1 amendment posted on the agenda would not be considered.

Committee Report 292 was adopted and Bill 53, CD1 passed second reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

PUBLIC HEARING/SECOND READING
Bill 55 – COMMITTEE REPORT 297

A BILL FOR AN ORDINANCE AMENDING ORDINANCE 16-25, RELATING TO PRIVATE TRANSPORTATION SERVICES AND DRIVERS.

Councilmember Kobayashi moved that Committee Report 297 be adopted and Bill 55 pass second reading. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 297 was adopted and Bill 55 passed second reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

Related communication:

M-2410 Timothy Burr, Jr., LYFT

PUBLIC HEARING/SECOND READING

Bill 56 – COMMITTEE REPORT 298

A BILL FOR AN ORDINANCE RELATING TO PRIVATE TRANSPORTATION COMPANIES AND DRIVERS.

Councilmember Kobayashi moved that Committee Report 298 be adopted and Bill 56 pass second reading. Seconded by Councilmember Manahan.

The following individuals testified:

1. Taylor Patterson, UBER (oppose)
2. Howard Higa, TheCAB (support)

Councilmember Elefante stated that he would be voting in opposition to the measure because he felt that taxicab companies and transportation network companies should be treated as separate entities and regulated on their own accord. He, however, expressed his appreciation to Councilmember Kobayashi for introducing the measure.

Committee Report 298 was adopted and Bill 56 passed second reading.

AYES: ANDERSON, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 8.

NOES: ELEFANTE – 1.

Related communications:

M-2337 Dale Krupa
M-2411 Timothy Burr, Jr. , LYFT

THIRD READING

BILL 37, CD2 – COMMITTEE REPORT 291

A BILL FOR AN ORDINANCE RELATING TO THE EXECUTIVE BRANCH OF THE CITY.

Councilmember Menor moved that Committee Report 291 be adopted and Bill 37, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Fukunaga.

The following individual testified:

Lori Kunioka, Managing Director's Office

In response to Councilmember Anderson, Ms. Kunioka replied that the Administration supports Bill 37 in its CD2 form and thanks the Council for their assistance.

Committee Report 291 was adopted and Bill 37, CD2 passed third reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

THIRD READING

BILL 46 – COMMITTEE REPORT 307

A BILL FOR AN ORDINANCE RELATING TO ATTENDANT PARKING FACILITIES.

Councilmember Kobayashi moved that Committee Report 307 be adopted and Bill 46 pass third reading. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 307 was adopted and Bill 46 passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

THIRD READING

BILL 44, CD1 – COMMITTEE REPORT 314

A BILL FOR AN ORDINANCE RELATING TO FLOOD HAZARD AREAS.

Councilmember Ozawa moved that Committee Report 314 be adopted and Bill 44, CD1 pass third reading. Seconded by Councilmember Menor.

The following individual testified:

Art Challacombe, Department of Planning and Permitting

Committee Report 314 was adopted and Bill 44, CD1 passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

THIRD READING

BILL 45 – COMMITTEE REPORT 315

A BILL FOR AN ORDINANCE TO AMEND THE OAHU WATER MANAGEMENT PLAN.

Councilmember Ozawa moved that Committee Report 315 be adopted and Bill 45 pass third reading. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 315 was adopted and Bill 45 passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

Related communication:

D-673 Ernest Y.W. Lau, P.E., Board of Water Supply

ADOPTION

RESOLUTION 16-172, CD1 – COMMITTEE REPORT 316

RESOLUTION APPROVING A CONCEPTUAL PLAN FOR AN INTERIM PLANNED DEVELOPMENT-TRANSIT PROJECT FOR THE DEVELOPMENT OF THE MANAOLANA PLACE HOTEL AND RESIDENTIAL CONDOMINIUM DEVELOPMENT PROJECT.

The following amendment was handcarried to the meeting:

Resolution 16-172, CD1, Proposed FD1 (OCS2016-0975/10/4/2016 4:04 PM)

Councilmember Ozawa moved that Committee Report 316 and Resolution 16-172, CD1 be adopted. Seconded by Councilmember Menor.

Councilmember Ozawa moved that the Resolution be amended to the handcarried FD1. Seconded by Councilmember Menor. The FD1 makes the following amendments:

A. Revises Condition C regarding the height setback to read as follows:

“The height setback shall be as follows: Any portion of a structure over 60 feet in height shall have a height setback of 20 feet. The height setback shall be a continuous plane from the top of the structure to the height of 60 feet above grade.”

B. Revises Condition L regarding affordable housing to read as follows:

“Prior to the issuance of a Certificate of Occupancy (CO) for the Project:

1. The Applicant shall partner with a city or state public housing development agency to provide at least 20 rental housing units that comply with the requirements of ROH Section 21-9.100.5(b)(1)(D), within one mile of the Ala Moana transit station; or
2. The Applicant shall contribute a dollar amount equal to the value of the 20 rental housing units specified above, to be deposited into the Housing Development Special Fund or into such other fund or account as may be designated by the Council by resolution; provided that this in-lieu fee payment shall not exceed \$3 million. The money shall be expended to increase the stock of affordable rental housing within one mile of the Ala Moana transit station in projects by city or state agencies, or by private persons under the sponsorship of or in partnership with city or state agencies; or
3. The Applicant shall build at least 20 rental housing units that comply with the requirements of ROH Section 21-9.100.5(b)(1)(D), within one mile of the Ala Moana transit station.”

C. Makes miscellaneous technical and non-substantive amendments.

The following individuals testified:

1. George Massengale, Hawaii Habitat for Humanity Association, Inc. (M-2400) (supports the project, however, opposed to the partnership with the Hawaii Public Housing Authority)
2. Joli Tokusato, UNITE HERE, Local 5 (M-2412) (oppose Resolution and proposed amendment)
3. Rene Berthiaume, Habitat for Humanity (M-2421) (stand on written testimony)
4. Will Giles, Mason Contractors Association of Hawaii (M-2429) (support)
5. Barbra J. Armentrout (comments)
6. Rose Pou (supports but have concerns with sidewalk access)
7. Ayako Ancheta (support)
8. Deja Ostrowski, Office of Hawaiian Affairs (comments)
9. Bob Nakata, FACE Housing Task Force (comments)
10. Richard Balicoco, Hawaii Regional Council of Carpenters (support)
11. Stacy Ellamar, Pacific Resource Partnership (M-2415) (support)
12. Peter H.M. Lee, Hawaii Laborers-Employers Cooperation and Education Trust (supports FD1)
13. Natalie Iwasa (comments)
14. Art Challacombe, Department of Planning and Permitting (DPP) (supports the project and FD1)

Resolution 16-172, CD1 was amended to FD1.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, MARTIN – 8.
NOES: None.
ABSENT: PINE – 1.

Councilmembers Elefante (CC-197, CC-234, CC-235, CC-236, CC-237), Anderson (CC-231), and Manahan (CC-233) noted for the record that they filed Disclosure of Interest Statements with the City Clerk's Office.

Council Rule 19.E relating to 48-hour notice was waived.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, MARTIN – 8.
NOES: None.
ABSENT: PINE – 1.

Councilmember Manahan spoke in support of the measure and commented that perhaps the Council did not appropriate enough funds for affordable housing to build more units; however, the City does not have the structure in place to create affordable housing. The City and State should invest together to build more low income housing instead of placing the burden on the developers to build them. He further commented that future housing funds should be centralized through the Housing Authority and the HHFDC (Hawaii Housing Finance and Development Corporation) so that developers could draw from those funds.

Councilmember Elefante spoke in support of the Resolution and expressed his appreciation to everyone involved for incorporating an affordable housing requirement into the project. He remarked that it is important from a policy standpoint to have a set policy on affordable housing requirements for interim planned development going forward.

Requesting that his comments be reflected in the minutes, Councilmember Menor stated his general support for the Resolution; however, he noted his concerns with the affordable housing revisions. He suggested that the Council take additional time to reassess the affordable housing requirements for more adequacy and clarity. He, therefore, stated he would be voting in opposition to the measure.

Councilmember Anderson spoke in support of the measure and noted that from the beginning, the affordable housing community faced challenges in working with the developer. The community now stands willing to support the developer to ensure that they deliver upon their promises. The developer has pledged to remain amicable to the community and to the City. He welcomed the developer to Honolulu and looks forward to working with them.

Councilmember Ozawa briefly explained how the Manaolana project would impact the community. He reiterated his statement of working with the DPP and the Committee on Zoning and Planning to further address the affordable housing requirements. He thanked the Committee members for their patience during the meetings and looks forward to crafting a better policy for Transit Oriented Development related housing requirements. He also thanked Councilmember Fukunaga and her staff for their efforts and ideas.

Committee Report 316 and Resolution 16-172, CD1, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, OZAWA,
 PINE, MARTIN – 8.
NOES: MENOR – 1.

Related communications:

M-2397	David Miller, Architects Hawaii, Ltd.
M-2401	Clyde T. Hayashi, Hawaii Laborers-Employers Cooperation and Education Trust
M-2413	Louise To
M-2414	Catherine Ritti
M-2416	Chris A. (chrisabe543@gmail.com)
M-2417	Ricky Cassiday
M-2418	Paola Rodelas
M-2419	Kamana'opono Crabbe, Office of Hawaiian Affairs
M-2420	Painting Industry of Hawaii Labor Management Cooperation Trust Fund; Hawaii Tapers Market Recovery Trust Fund; Hawaii Glaziers, Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund; Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund
M-2422	F.A.C.E.
M-2423	Wally Inglis, Coalition for Specialized Housing
M-2424	Jodi Malinoski, Sierra Club of Hawai'i
M-2425	Marya Grambs, PHOCUSED (Protecting Hawaii's Ohana, Children, UnderServed, Elderly, and Disabled)
M-2426	Rev. Brandon Duran
M-2427	Reyna Ramolete Hayashi
M-2428	Nicole Edwards-Masuda
P-33	Cindy Aban, et al (37 oppositions)

THIRD READING

BILL 62 (2015), CD2, FD1 – COMMITTEE REPORT 308

A BILL FOR AN ORDINANCE TO REZONE LAND SITUATED AT EWA BEACH, OAHU, HAWAII.

The following amendment was posted on the agenda:

Bill 62 (2015), CD2, Proposed FD1

Councilmember Ozawa moved that Committee Report 308 be adopted and Bill 62 (2015), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Menor.

Councilmember Ozawa moved that the Bill be amended to FD1. Seconded by Councilmember Menor. The amendment denies the requested zone change for a portion of parcel 28 (to remain Resort, no zone change to A-2), and for parcels 36 and 40 (to remain BMX-3, no zone change to Resort), and makes corresponding revisions to the map attached as Exhibit A (including the stated land area amount) and the TMK references in the text of the bill and the map.

The following individuals testified:

1. Michael Jay Green (comments)

In response to Councilmember Pine regarding the class action lawsuit against Haseko, Mr. Green explained that the jury found the defendant liable for damages and awarded the plaintiffs \$30 million. The judge, however, set aside the \$30 million because he thought the damages named in the lawsuit were speculative.

Regarding the promised views, Mr. Green stated that Haseko reneged on many promises made to the residents. As to whether or not the project could be stopped if a lawsuit for the views is filed, he could not say.

2. Jill Wessel (oppose Bill 62, CD2)
3. Elizabeth Gocong (M-2480) (opposes all Bills)
4. Lynn Robinson-Onderko (M-2471) (opposes all Bills)
5. Mary Freeman (move Bills along)
6. Gilbert Ching (supports Bill 62, CD2 and Bill 63)
7. Gus Formica (supports project, pass Bill along)
8. Keoni O'Keefe (M-2382) (comments)
9. Rodney Boucher (M-2465) (opposes all Bills)

Councilmember Ozawa and Chair Martin both clarified that the FD1 amendment addresses the Coast Guard's recommendations.

10. Franz-Josef Presper (M-2466) (opposes project)
11. Robert W. Duncan (supports all Bills)
12. Miguel Gonzalez (opposes all Bills)
13. Natalie Iwasa (comments)
14. James K. Manuku, Sr. (comments)

15. Todd LaVine (opposes all Bills)

In response to Councilmember Pine regarding Mr. Lavine's concern about the financial aspects of the project, Mr. LaVine stated that during a tour of the preservation area hosted by Haseko, he specifically asked about the potential investors and the plans for the area. He indicated that he was not satisfied with the information given.

16. Richard Balicoco, Hawaii Regional Council of Carpenters (supports Bill 62 and CC-171)
17. Peter H.M. Lee, Hawaii LECET (Laborers-Employers Cooperation and Education Trust) (supports Bill 62, CD2, FD1, Bill 63 and Resolution 16-180)
18. Douglas Correa (move the Bills forward)
19. Deedee Oshiro (pass Bill 62 and Bill 63)
20. Stacy Ellamar, Pacific Resource Partnership (M-2438) (supports project)
21. Glenn Oamilda, Ewa Beach Community Association (opposes)

In response to questions from Councilmember Pine, Mr. Oamilda stated that in the beginning, he first supported the project in 1993 because the developer promised revitalization and permanent jobs for the Ewa Beach community.

22. Pearson and Pepper Liddell (supports the passage of the Bills)
23. Kevin Rathbun (supports moving the Bills forward)

In response to questions from Councilmember Pine regarding the residents' concerns about certain Association issues, Mr. Rathbun stated that he did not submit a formal request to Haseko asking for clarification on the issues. He, however, is willing to meet with Haseko to discuss the concerns.

24. Kerrie Prowse (move the Bills forward)

In response to questions from Councilmember Pine regarding the new rules of the lagoon, Ms. Prowse stated that to her knowledge, the public will have access to the lagoon and the swimming cove. Access to other public areas would be via walking paths, restaurants, hotels and other venues.

25. Chase Alcos (supports moving Bill 62 forward)
26. Abi Tan (comments)
27. Carol Johnson (comments)
28. Allan Arneho (comments)
29. Will Giles, Mason Contractors Association of Hawaii (M-2464) (supports project)

RECESS/RECONVENE

At 12:38 p.m., the Chair called for a recess as noted on the agenda. With 7 members present (Excused: Menor, Pine – 2), the Chair reconvened the meeting at 1:32 p.m.

Art Challacombe, Acting Director, Department of Planning and Permitting (DPP) stated that the DPP strongly supports Bill 62 (2015), CD2, FD1, Bill 63 (2015), CD1, and Resolution 16-180. The DPP supports the Hoakalei project as it is consistent with the Oahu General Plan, the Ewa Development Plan, Chapter 25, the Special Management Area Ordinance, and is in compliance with Chapter 23, the Shoreline Setback regulations.

In response to Councilmember Elefante, Acting Director Challacombe stated that:

- The Applicant will provide public open space and public parking.
- The Applicant is proposing 60 feet of public shoreline across the entire property—over 2 miles of connected public shoreline from Oneula Beach Park, the Oneula Beach Park extension, Nimitz Beach, White Plains Beach and beyond.
- This is a good project from an environmental standpoint and a public shoreline access standpoint.

Bill 62 (2015), CD2 was amended to FD1.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, OZAWA,
 MARTIN – 7.
NOES: None.
ABSENT: MENOR, PINE – 2.

RECESS/RECONVENE

At 1:36 p.m., the Chair called for a short recess and with 9 members present, reconvened the meeting at 1:39 p.m.

Councilmember Pine stated that she was very sad to be speaking in opposition to Bill 62 (2015), CD2, FD1. She explained that she originally supported the project because she believed in Haseko's vision. She noted that she tried to negotiate a deal for legislation that is pono, so everyone can live with aloha. She stated that her constituents simply want Haseko to follow through on its promises, and that is why she pushed for amendments to the unilateral agreement in order to include what Haseko had promised the community.

She noted that the U.S. Department of Homeland Security transmitted a copy of a letter sent to Haseko confirming the military's position that they will not give up the easement.

Councilmember Anderson spoke in opposition to Bill 62 (2015), CD2, FD1, clarifying that his primary objection was to the process used to move the measure forward. He noted that the disrespect shown to his colleague goes against the common courtesy the Council shows to the councilmember of the district. He stated that when he was the Chair of the Zoning and Planning Committee, he felt Councilmember Pine's requests were reasonable and included all of the amendments in the measure.

Councilmembers Elefante (CC-114 and CC-254) and Pine (CC-319-2015) noted for the record that they filed Disclosures of Interest with the City Clerk's Office.

Committee Report 308 was adopted and Bill 62 (2015), CD2, FD1 passed third reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR*, OZAWA, MARTIN – 7.

NOES: ANDERSON, PINE – 2.

*Councilmember Menor voted aye with reservations.

Related communications:

D-674	Don S. Kitaoka, Department of the Corporation Counsel
M-2376	Michael Golojuch, Jr.
M-2264	Raymond S. Kanna, Haseko Development, Inc.
M-2338	Sherry Kunkel
M-2339	Tsutomu Sagawa
M-2340	Yoichi Sagawa
M-2341	Miki Sagawa
M-2342	Koji Sagawa
M-2343	Masako Sagawa
M-2344	John S. Assaturian
M-2345	Judy Carter Assaturian
M-2346	Jazmine Poouahi
M-2347	Manu Zoller
M-2348	Yuki Sakaguchi
M-2349	Dennis Noah
M-2350	Akiko Locey
M-2351	John Locey
M-2373	Dean Uchida, SSFM International

City Council Journal
Wednesday, October 5, 2016

M-2374	Stan Perreira
M-2377	Betty Lewis
M-2378	Patty Tanaka
M-2379	Christina Dettloff
M-2380	Jill Veles
M-2381	Lori O'Keefe
M-2383	Densie Hall
M-2398	Edward D. Bryce
M-2399	Deborah Ann Bryce
M-2404	Clyde T. Hayashi, Hawaii Laborers-Employers Cooperation and Education Trust
M-2430	Hugh Klipp
M-2431	Christina Brannon
M-2432	Phyllis Whetsel
M-2433	Deanna Lawson
M-2434	Alecia Hardt
M-2435	Brad Baang
M-2436	Arthur Otani
M-2437	Grant Oka
M-2439	Susan Taylor Beury
M-2440	Dan and Judy White
M-2441	Margaret A. Kennedy
M-2442	Susan Dale Tavai
M-2443	Glen Kila
M-2444	Rachelle Winkler
M-2445	Ben Hwang
M-2446	Wilbur V. Luna
M-2447	John and Rita Shockley
M-2448	Kenneth Stewart
M-2449	Captain Richard T. Porter
M-2450	Joshua Szakal
M-2451	Mary Elam
M-2452	Ricky Elam
M-2453	U'ilani O'hAilpin
M-2454	Goidel O'hAilpin
M-2455	R. Gatdula
M-2456	Kevin Mendes
M-2457	George DeVries
M-2458	Richard T. Bento
M-2459	Robert Hardwick
M-2460	Nick and Allison Dubovsky

M-2461	Richard Donaldson
M-2462	Ronald B. FitzGerald CMD
M-2463	Michelle Donaldson
M-2467	Senator Will Espero
M-2468	Representative Matthew S. LoPresti
M-2469	Peter D. Kwan
M-2470	Gladys Marrone, Building Industry Association of Hawaii
M-2472	Brian (richardson.br@gmail.com)
P-29	Antonio Resayo, et al.
P-30	Richard Dunn, et al.

THIRD READING

BILL 63 (2015), CD1 – COMMITTEE REPORT 309

A BILL FOR AN ORDINANCE TO AMEND PORTIONS OF BOUNDARIES OF THE SPECIAL MANAGEMENT AREA MAP FOR EWA, OAHU, HAWAII.

Councilmember Ozawa moved that Committee Report 309 be adopted and Bill 63 (2015) pass third reading, as amended to CD1. Seconded by Councilmember Menor.

[Note: See Bill 62 (2015), CD2, FD1 for list of testifiers.]

Councilmembers Elefante (CC-115 and CC-253) and Pine (CC-319-2015) noted for the record that they filed Disclosures of Interest with the City Clerk's Office.

Committee Report 309 was adopted and Bill 63 (2015), CD1 passed third reading, as amended.

AYES:	ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR*, OZAWA, PINE*, MARTIN – 8.
NOES:	ANDERSON – 1.

*Councilmembers Menor and Pine voted aye with reservations.

Related communications:

M-2352	Tsutomu Sagawa
M-2353	Yoichi Sagawa
M-2354	Miki Sagawa
M-2355	Koji Sagawa

M-2356	Masako Sagawa
M-2357	Manu Zoller
M-2358	Jazmine Poouahi
M-2359	Yuki Sakaguchi
M-2360	Dennis Noah
M-2373	Dean Uchida, SSFM International
M-2374	Stan Perreira
M-2383	Densie Hall
M-2385	Jill Veles
M-2402	Clyde T. Hayashi, Hawaii Laborers-Employers Cooperation and Education Trust
M-2473	Hugh Klipp
M-2445	Ben Hwang
M-2474	Kenneth Stewart
M-2447	John and Rita Shockley
M-2449	Captain Richard T. Porter
M-2475	R. Gatdula
M-2476	Michelle Donaldson
M-2477	Peter D. Kwan
M-2482	Samuel Badal
M-2483	Diosdado Pelaez Jr.
M-2484	Joshua Szakal
P-31	Richard Dunn, et al.

ADOPTION

RESOLUTION 16-180 – COMMITTEE REPORT 310

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT AND SHORELINE SETBACK VARIANCE FOR THE HOAKALEI MASTER PLAN UPDATE IMPROVEMENTS PROJECT.

Councilmember Ozawa moved that Committee Report 310 and Resolution 16-180 be adopted. Seconded by Councilmember Menor.

[Note: See Bill 62 (2015), CD2, FD1 for list of testifiers.]

Councilmembers Elefante (CC-251 and CC-252) and Pine (CC-319-2015) noted for the record that they filed Disclosures of Interest with the City Clerk's Office.

Committee Report 310 and Resolution 16-180 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR*, OZAWA,
PINE*, MARTIN – 8.

NOES: ANDERSON – 1.

*Councilmembers Menor and Pine voted aye with reservations.

Related communications:

M-2361	Jazmine Pooouahi
M-2362	Tsutomu Sagawa
M-2363	Yoichi Sagawa
M-2364	Miki Sagawa
M-2365	Koji Sagawa
M-2366	Manu Zoller
M-2367	Masako Sagawa
M-2368	Yuki Sakaguchi
M-2369	Manu Zoller
M-2370	Dennis Noah
M-2371	Akiko Locey
M-2372	John Locey
M-2373	Dean Uchida, SSFM International
M-2374	Stan Perreira
M-2383	Densie Hall
M-2387	Jill Veles
M-2403	Clyde T. Hayashi, Hawaii Laborers-Employers Cooperation and Education Trust
M-2478	Hugh Klipp
M-2445	Ben Hwang
M-2479	Kenneth Stewart
M-2447	John and Rita Shockley
M-2481	Richard and Misun Byron
M-2449	Captain Richard T. Porter
M-2482	Samuel Badal
M-2483	Diosdado Pelaez Jr.
M-2484	Joshua Szakal
M-2485	R. Gatdula

M-2486 Peter D. Kwan
P-32 Richard Dunn, et al.

RECESS/RECONVENE

At 2:03 p.m., the Chair called for a short recess and reconvened the meeting at 2:04 p.m.

FIRST READING **BILL 57**

(Zoning and Planning)

A BILL FOR AN ORDINANCE TO ADOPT THE REVISED KOOLAU POKO SUSTAINABLE COMMUNITIES PLAN FOR THE CITY AND COUNTY OF HONOLULU.

Councilmember Anderson moved that Bill 57 pass first reading. Seconded by Councilmember Menor.

The following individuals testified:

1. Flora Obayashi, Kahalu'u Neighborhood Board # 29 (D-671) (Oppose inclusion of DeReis project)
2. Mahealani Cypher, Ko'olaupoko Hawaiian Civic Club (M-2491) (Support with exception to DeReis property)
3. Natalie Iwasa (General comment)
4. Jim Niermann (Support)

Councilmember Anderson noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-249), and he recused himself from voting.

Bill 57 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA,
 PINE, MARTIN – 8.

NOES: None.

ABSTAIN: ANDERSON – 1.

Related communications:

D-670 Chuck Prentiss, Kailua Neighborhood Board No. 31
M-2405 Dee Letts

M-2487	Kirsten M.O. Tsuda
M-2488	Andrea Anixt
M-2489	Grant Yoshimori
M-2490	Benjamin Shafer

FIRST READING

BILL 58

(Budget)

A BILL FOR AN ORDINANCE RELATING TO THE HOUSING DEVELOPMENT SPECIAL FUND.

Councilmember Anderson moved that Bill 58 pass first reading. Seconded by Councilmember Menor.

The following individual testified:

James Manaku (General comment)

Bill 58 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

FIRST READING

BILL 59

(Public Works and Infrastructure Sustainability)

A BILL FOR AN ORDINANCE RELATING TO THE USE OF BAGS PROVIDED TO CUSTOMERS.

Councilmember Anderson moved that Bill 59 pass first reading. Seconded by Councilmember Menor.

The following individuals testified:

1. Suzanne Frazer, B.E.A.C.H. (M-2492) (General comment)
2. Dean Otsuki, B.E.A.C.H. (M-2493) (General comment)
3. Mackenna Cady (Ban all plastic bags)
4. Amy Cady (Ban all plastic bags)
5. Natalie Iwasa (General comment)

Bill 59 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

M-2375	Harlan Kanoa Sheppard
M-2388	Ben Robinson
M-2389	Michele Osurman
M-2390	Neil Y. Ishida, ABC Stores
M-2391	Michelle Felipe
M-2392	Erika Osurman
M-2393	Travis Osurman
M-2394	Sara Perry
M-2395	Dennis Fresh Onishi
M-2494	Garry Smith
M-2495	Tina Yamaki, Retail Merchants of Hawaii
M-2496	Ben Robinson
M-2497	Lauren Zirbel, Hawaii Food Industry Association
M-2498	Kathy Shimata
M-2499	Patricia Blair
M-2500	Roberts Leinau
M-2501	Mio Chee
M-2502	James Raymond
M-2503	Marlee Breese
M-2504	June Chee
M-2505	Jodi Malinoski, Sierra Club of Hawaii, Oahu Group
M-2506	Nicole Fisher
M-2507	Nicole Chatterton, Wild Kids Hawaii
M-2508	Lindsey Hoell
M-2509	Rafael Bergstrom, Surfrider Foundation Oahu Chapter

M-2510	Barbara George
M-2511	Ann Heidi Levora
M-2512	Jean Maier
M-2513	Joy Leilei Shih
M-2514	Caterine Picardo
M-2515	Roberto Porro
M-2516	Yuri Cardenas
M-2517	Rachel Rounds
M-2518	Mikaila (mwahl17@punahou.edu)
M-2519	Heidi Better
M-2520	Richard Wainscoat
M-2521	Shiyana Thenabadu
M-2522	D. Leilani Ratay
M-2523	Stuart H. Coleman, The Surfrider Foundation and the Rise Above Plastics Coalition
M-2524	Richard Furst
P-34	Brian Heithaus, et al.

FIRST READING

BILL 60

(Budget)

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAX EXEMPTIONS FOR HOMES.

Councilmember Anderson moved that Bill 60 pass first reading. Seconded by Councilmember Menor.

The following individual testified:

Natalie Iwasa (General comment)

Bill 60 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

FIRST READING

BILL 61

(Budget)

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Anderson moved that Bill 61 pass first reading. Seconded by Councilmember Menor.

There was no public testimony.

Bill 61 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

FIRST READING

BILL 62

(Budget)

A BILL FOR AN ORDINANCE RELATING TO THE TRANSIT IMPROVEMENT BOND FUND.

Councilmember Anderson moved that Bill 62 pass first reading. Seconded by Councilmember Menor.

There was no public testimony.

Bill 62 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 16-233 – COMMITTEE REPORT 284

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY AND COUNTY OF HONOLULU FROM THE DEPUTIES FOR THE HONOLULU POLICE DEPARTMENT'S LAW ENFORCEMENT EXPLORER PROGRAM.

Councilmember Elefante moved that Committee Report 284 and Resolution 16-233 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 284 and Resolution 16-233 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 16-234 – COMMITTEE REPORT 285

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE HAWAII FIRE CHIEFS ASSOCIATION TO FUND AIRFARE AND ONE NIGHT'S LODGING EXPENSES FOR FOUR HONOLULU FIRE DEPARTMENT PERSONNEL TO ATTEND THE HAWAII FIRE CHIEFS ASSOCIATION'S 38TH ANNUAL CONFERENCE.

Councilmember Elefante moved that Committee Report 285 and Resolution 16-234 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 285 and Resolution 16-234 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 16-235 – COMMITTEE REPORT 286

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY AND COUNTY OF HONOLULU FROM THE WAIKIKI BUSINESS IMPROVEMENT DISTRICT ASSOCIATION (WBIDA) FOR THE HONOLULU POLICE DEPARTMENT TO ADDRESS VARIOUS ILLEGAL ACTIVITIES ON THE PUBLIC SIDEWALKS IN SPECIFIC AREAS IN WAIKIKI.

Councilmember Elefante moved that Committee Report 286 and Resolution 16-235 be adopted. Seconded by Councilmember Pine.

The following individual testified:

Natalie Iwasa (General comment)

Committee Report 286 and Resolution 16-235 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communication:

M-2527 Michael Daly

ADOPTION

RESOLUTION 16-243 – COMMITTEE REPORT 287

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE MINE SAFETY APPLIANCES TO PROVIDE RESCUE EQUIPMENT TO HONOLULU FIRE DEPARTMENT PERSONNEL FOR CONFINED SPACE RESPONSES.

Councilmember Elefante moved that Committee Report 287 and Resolution 16-243 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 287 and Resolution 16-243 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 16-245, CD1 – COMMITTEE REPORT 289

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM
GENERATIONS MAGAZINE.

Councilmember Pine moved that Committee Report 289 and Resolution 16-245, CD1 be
adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 289 and Resolution 16-245, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 16-251, CD1 – COMMITTEE REPORT 290

RESOLUTION ACCEPTING A GIFT TO THE CITY AND COUNTY OF HONOLULU FROM
THE WAHIAWA COMMUNITY BASED DEVELOPMENT ORGANIZATION FOR THE
REFURBISHMENT OF THE WAHIAWA SKATE PARK LOCATED WITHIN WAHIAWA
DISTRICT PARK.

Councilmember Pine moved that Committee Report 290 and Resolution 16-251, CD1 be
adopted. Seconded by Councilmember Anderson.

The following individual testified:

Jeff Almeida, Wahiawa Community Based Development Organization (Support)

Committee Report 290 and Resolution 16-251, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communication:

M-2527 Michael Daly

ADOPTION

RESOLUTION 16-249 – COMMITTEE REPORT 294

RESOLUTION AUTHORIZING THE CITY COUNCIL, AGENCIES AND THE BOARDS AND COMMISSIONS OF THE CITY AND COUNTY OF HONOLULU TO CONVERT HARDCOPY RECORDS TO ELECTRONIC FORMAT.

Councilmember Menor moved that Committee Report 294 and Resolution 16-249 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 294 and Resolution 16-249 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 16-250 – COMMITTEE REPORT 295

RESOLUTION AUTHORIZING THE REVISION OF THE GENERAL RECORDS SCHEDULE FOR THE CITY COUNCIL, THE AGENCIES, AND THE BOARDS AND COMMISSIONS OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Menor moved that Committee Report 295 and Resolution 16-250 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 295 and Resolution 16-250 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 16-259 – COMMITTEE REPORT 296

RESOLUTION AUTHORIZING THE DEPARTMENT OF THE CORPORATION COUNSEL TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, THE COUNTY OF HAWAII, THE COUNTY OF KAUAI AND THE COUNTY OF MAUI TO RETAIN AND UTILIZE EXPERT CONSULTING AND SUPPORT SERVICES ON BEHALF OF THE PUBLIC EMPLOYER GROUP IN COLLECTIVE BARGAINING INTEREST ARBITRATION.

Councilmember Menor moved that Committee Report 296 and Resolution 16-259 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-238).

Committee Report 296 and Resolution 16-259 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 16-241 – COMMITTEE REPORT 302

RESOLUTION RELATING TO REAL PROPERTY TAX COMPROMISES.

Councilmember Kobayashi moved that Committee Report 302 and Resolution 16-241 be adopted. Seconded by Councilmember Manahan.

The following individual testified:

Natalie Iwasa (Oppose)

Committee Report 302 and Resolution 16-241 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

M-2396 Susan Oyama
M-2406 Roy Nakamura

ADOPTION

RESOLUTION 16-252 – COMMITTEE REPORT 304

RESOLUTION RELATING TO REAL PROPERTY TAX COMPROMISES.

Councilmember Kobayashi moved that Committee Report 304 and Resolution 16-252 be adopted. Seconded by Councilmember Manahan.

The following individual testified:

Natalie Iwasa (Support)

Committee Report 304 and Resolution 16-252 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

M-2407 Roy Nakamura
M-2409 Marvin and Karen Okazaki

ADOPTION

RESOLUTION 16-244, FD1 – COMMITTEE REPORT 303

RESOLUTION ESTABLISHING A PERMITTED INTERACTION GROUP OF COUNCILMEMBERS TO INVESTIGATE MASS-TRANSIT SYSTEMS, THE FINANCING OF TRANSIT SYSTEMS AND RELATED INFRASTRUCTURE, AND DEVELOPMENT ALONG THE TRANSIT LINE.

The following amendment was posted on the agenda:

Resolution 16-244, Proposed FD1

Councilmember Kobayashi moved that Committee Report 303 and Resolution 16-244 be adopted. Seconded by Councilmember Manahan.

Councilmember Kobayashi moved that the Resolution be amended to FD1. Seconded by Councilmember Manahan. The proposed FD1 makes the following amendments:

A. Amends the BE IT RESOLVED clause to read:

BE IT RESOLVED by the Council of the City and County of Honolulu that a permitted interaction group composed of Council Chair Ernest Y. Martin, Councilmembers Carol Fukunaga and Joey Manahan, is hereby established and authorized to investigate, in San Francisco, California, and locally, issues and measures relating to mass-transit systems, the financing of the systems and related infrastructure, and development along the transit line, which matters relate to the official business of the Council; and

B. Makes miscellaneous technical and non-substantive amendments.

The following individual testified:

Natalie Iwasa (General comment)

Resolution 16-244 was amended to FD1.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, MARTIN – 8.
NOES: None.
ABSENT: PINE – 1.

Committee Report 303 and Resolution 16-244, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, MARTIN – 8.
NOES: None.
ABSENT: PINE – 1.

Related communication:

D-669 Gary K. Nakata, Department of Community Services

ADOPTION

RESOLUTION 16-253, CD1 – COMMITTEE REPORT 305

RESOLUTION URGING THE ADMINISTRATION TO ESTABLISH A COMMUNITY ADVISORY COMMITTEE TO ADDRESS MAKIKI RESIDENTS' CONCERNS REGARDING THE CITY'S HOUSING FIRST PROJECT LOCATED ON HASSINGER STREET.

Councilmember Kobayashi moved that Committee Report 305 and Resolution 16-253, CD1 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Councilmember Elefante noted for the record his continued support for Housing First initiatives. He expressed the hope that the Community Advisory Committee works with the Administration, area councilmembers, and elected officials to come up with a solution for the Hassinger Street project.

Committee Report 305 and Resolution 16-253, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, MARTIN – 8.
NOES: None.
ABSENT: PINE – 1.

ADOPTION

RESOLUTION 16-254, FD1 – COMMITTEE REPORT 306

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY SERVICES OR THE DIRECTOR'S DESIGNEE TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE DEPARTMENT OF HUMAN SERVICES' OFFICE OF YOUTH SERVICES.

The following amendment was handcarried to the meeting:

Resolution 16-254, Proposed FD1 (OCS2016-0981/10/4/2016 1:56 PM)

Councilmember Kobayashi moved that Committee Report 306 and Resolution 16-254 be adopted. Seconded by Councilmember Manahan.

Councilmember Kobayashi moved that the Resolution be amended to the handcarried FD1. Seconded by Councilmember Manahan. The proposed FD1 makes the following amendments:

- A. Replaces Exhibit A with an updated Exhibit A, which includes the Participant Worksite Plan.
- B. Makes miscellaneous technical and non-substantive amendments.

There was no public testimony.

Resolution 16-254 was amended to FD1 (OCS2016-0981/10/4/2016 1:56 PM).

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.
NOES: None.

Council Rule 19.E relating to 48-hour notice was waived.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Committee Report 306 and Resolution 16-254, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 16-209, FD1 – COMMITTEE REPORT 312

RESOLUTION URGING THE HAWAII STATE LEGISLATURE TO ENACT LEGISLATION
TO PROHIBIT CERTAIN BEHAVIORS INCITED BY OR LIKELY TO INCITE ROAD RAGE.

The following amendment was posted on the agenda:

Resolution 16-209, Proposed FD1

Councilmember Manahan moved that Committee Report 312 and Resolution 16-209 be adopted. Seconded by Councilmember Kobayashi.

Councilmember Manahan moved that the Resolution be amended to FD1. Seconded by Councilmember Kobayashi. The proposed FD1:

- A. Clarifies some of the media outlets that were mentioned, replacing one of the media outlets with Hawaii News Now and KHON2; and
- B. Makes miscellaneous technical and non-substantive amendments.

There was no public testimony.

Resolution 16-209 was amended to FD1.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Committee Report 312 and Resolution 16-209, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

DEFERRED

RESOLUTION 16-215 – COMMITTEE REPORT 313

RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY CHAPTER 53 OF TITLE 49 OF THE UNITED STATES CODE, AND ANY OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION.

Councilmember Manahan moved that Committee Report 313 and Resolution 16-215 be deferred. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 313 and Resolution 16-215 were deferred.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communication:

M-2408 Roy Nakamura

BALANCE OF COMMITTEE REPORTS

There was no balance of committee reports.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

DEFERRED **BILL 31**

A BILL FOR AN ORDINANCE RELATING TO INFRASTRUCTURE.

Councilmember Anderson moved that Bill 31 pass third reading. Seconded by Councilmember Menor.

RECESS/RECONVENE

At 2:42 p.m., the Chair called for a short recess and reconvened the meeting at 2:44 p.m.

Councilmember Anderson withdrew the motion to pass Bill 31 on third reading.

The Chair noted that the motion to pass on third reading has been withdrawn, and no action will be taken on the matter until the next Council meeting.

ADOPTION **RESOLUTION 16-257**

RESOLUTION AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO AMEND THE STATE-COUNTY MEMORANDUM OF AGREEMENT – IMPLEMENTATION OF COUNTY FEDERAL AID HIGHWAY PROJECTS AND PROGRAMS, EXECUTED JUNE 25, 2015.

Resolution 16-257 was waived to the Council floor by the Chair of the Transportation Committee.

Councilmember Anderson moved that Resolution 16-257 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Resolution 16-257 was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN - 9.

NOES: None.

Related communication:

CC-245 Councilmember Joey Manahan

APPROVAL
COMMUNICATION M-2261

FROM ALAN K. ARAKAWA, A&B PROPERTIES, INC., REQUESTING A 60-DAY EXTENSION OF TIME FOR RESOLUTION 16-242, GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT TO CONSTRUCT THREE TWO-STORY, TWO-FAMILY DWELLING UNITS, LANDSCAPING, SWIMMING POOLS, A CONCRETE MASONRY UNIT WALL, AND GUEST PARKING AREAS.

Councilmember Anderson moved that Communication M-2261 be approved. Seconded by Councilmember Menor.

There was no public testimony.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-246).

Communication M-2261 was approved.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

SUNSHINE/ADOPTION
RESOLUTION 16-266

RESOLUTION RELATING TO THE INCLUSION IN THE 2017 HAWAII STATE ASSOCIATION OF COUNTIES (HSAC) LEGISLATIVE PACKAGE OF A PROPOSAL THAT WOULD MANDATE THE STATE DEPARTMENT OF HEALTH TO ENFORCE RESIDENTIAL AND COMMERCIAL NOISE STANDARDS.

Pursuant to HRS Section 92-7, the Sunshine Law, Councilmember Anderson moved that Resolution 16-266 be added to the agenda. Seconded by Councilmember Menor.

Councilmember Anderson explained that at the last HSAC Executive Committee meeting, one Committee member objected to Resolution 16-237. He noted that after he offered an alternative (Resolution 16-266), the Committee member agreed to remove his objection to include the item in the HSAC legislative package.

In response to Chair Martin, Councilmember Anderson stated that the measure is time-sensitive.

Resolution 16-266 was added to the agenda.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Councilmember Anderson moved that Resolution 16-266 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Resolution 16-266 was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

At 2:47 p.m., Councilmember Anderson moved that the Council stand adjourned until Wednesday, November 2, 2016, at 10 a.m. Seconded by Councilmember Menor and there being no objections from the 9 members present, it was so ordered by the Chair.

Respectfully submitted,


GLEN I. TAKAHASHI
City Clerk

po/vc

DATE APPROVED:

November 2, 2016